



March 10, 1999

Lieutenant Bill Kral
Amarillo Police Department
200 E. 3rd
Amarillo, Texas 79101-1514

OR99-0677

Dear Lieutenant Kral:

On behalf of the Amarillo Police Department (the “department”), you ask us to reconsider Open Records Letter No. 98-2970 (1998). Your request for reconsideration was assigned ID# 122687.

In Open Records Letter No. 98-2970, we ruled that a “Driver’s Confidential Accident Report” is subject to the release provision in section 47(b)(1), article 6701d of Vernon’s Texas Civil Statutes. You point out that Open Records Letter Nos. 98-2970 (1998) and 98-2281 (1998) are in conflict with Open Records Letter Nos. 98-1494 (1998) and 96-2410 (1996).

Having carefully reconsidered this issue, we conclude that a “Driver’s Confidential Accident Report” is confidential under section 47(a), but is not subject to release under section 47(b)(1). Thus, the department must withhold this type of report from disclosure. We, therefore, affirm Open Records Letter Nos. 98-1494 (1998) and 96-2410 (1996) and overrule Open Records Letter Nos. 98-2970 (1998) and 98-2281 (1998).

If you have questions about this ruling, please contact our office.

Sincerely,

Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/ch

Ref: ID# 122687

Enclosures: Submitted document

cc: Ms. Jo Brookfield
Hallmark Claims Service, Inc.
14651 Dallas Parkway, Suite 205
Dallas, Texas 75240
(w/o enclosures)